

BILL NO. Z-72-05-05

ZONING MAP ORDINANCE NO. Z- *Withdrawn*

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. All, Bll.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. All, Bll referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

220' x 181.5' of the North part of Lot No. 1 Penn  
House Farm Section 25, Washington Township. As  
recorded in Deed Book #708, Page #264.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

*Eugene Kravitz*  
\_\_\_\_\_  
Councilman

APPROVED AS TO FORM  
AND LEGALITY, \_\_\_\_\_

\_\_\_\_\_  
CITY ATTORNEY

Read the first time in full and on motion by Knowles seconded by  
V. Schmidt and duly adopted, read the second time by title and  
referred to the Committee on Regulations (and to the  
City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal~~  
~~notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on~~  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock  
P.M., E.S.T.

Date: May 9, 1972

Charles W. Heston  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_  
seconded by \_\_\_\_\_ and duly adopted, placed on its passage.  
Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
Burns	_____	_____	_____	_____	
Hinga	_____	_____	_____	_____	
Kraus	_____	_____	_____	_____	
Nuckols	_____	_____	_____	_____	
Moses	_____	_____	_____	_____	
Schmidt, D.	_____	_____	_____	_____	
Schmidt, V.	_____	_____	_____	_____	
Stier	_____	_____	_____	_____	
Talarico	_____	_____	_____	_____	

Date \_\_\_\_\_

Charles W. Heston  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning  
Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_-at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., E.S.T.

\_\_\_\_\_  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on May 9, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-05-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1972; and,

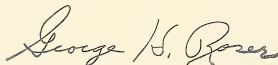
WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1972.

Certified and signed this  
6th day of June, 1972.



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George Roser  
Secretary

Bill No. Z-72-05-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on REGULATIONS to whom was referred an Ordinance

amending the City of Fort Wayne Zoning Map No. All, B11

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Be Withdrawn

Eugene Kraus, Jr. - Chairman

James S. Stier - Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

*Eugene Kraus, Jr.*  
*James S. Stier*  
*William T. Hinga*  
*Paul "Mike" Burns*  
*Vivian G. Schmidt*

CONCURRED IN

DATE 6-13-72 CHARLES W. WESTERMAN, CITY CLERK

## RECEIPT

N<sup>o</sup> 128

GENERAL FUND

FT. WAYNE, IND.,

April 4 1972

RECEIVED FROM

Edgar Stanley\$50.00

THE SUM OF

Fifty and 00/100

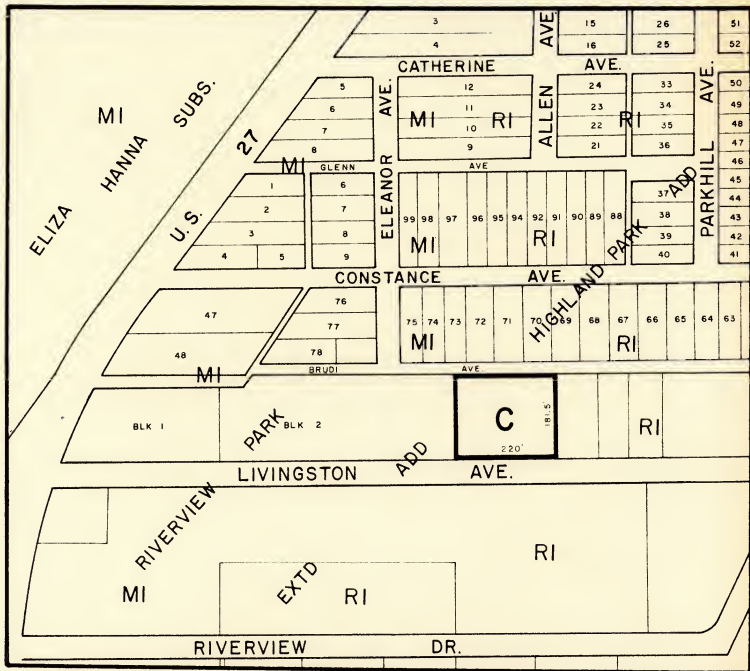
100

DOLLARS

ON ACCOUNT OF

Boudi Ave. propertyBarb Steele

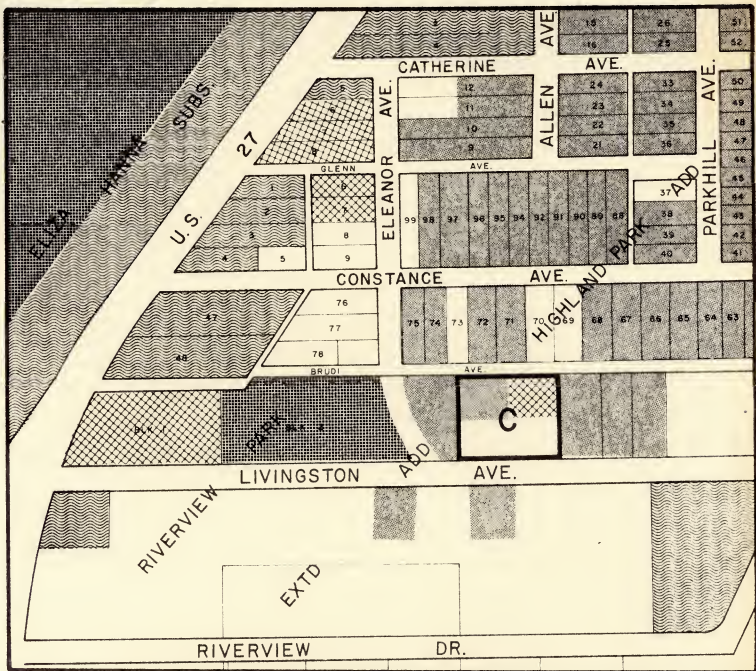
AUTHORIZED SIGNATURE



C - CHANGE FROM RI TO MI

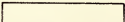




2-72-05-05

N

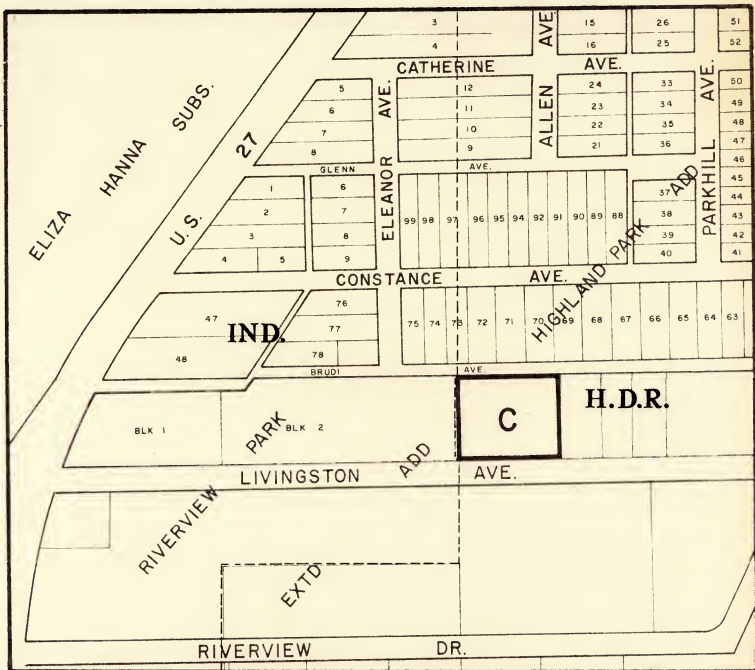


# EXISTING LAND USE MAP

2-7205-05

-  - VACANT LAND
-  - LOW DENSITY RESIDENTIAL
-  - HIGH DENSITY RESIDENTIAL
-  - COMMERCIAL
-  - LIGHT INDUSTRY





# PROPOSED LAND USE MAP 2-72-05-05

----- LAND USE AREA

**IND.-** INDUSTRIAL

**H.D.R.-** HIGH DENSITY RESIDENTIAL

N



PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Receipt No. \_\_\_\_\_

Date Filed \_\_\_\_\_

Intended Use Warehousing, Repair & Sales  
Of Laundry Machinery

I/We Edgar L. Stanley  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 District to a/an M-1 District the property described as follows:

220' x 181.5' of the North part of Lot No. 1 Penn House Farm Section 25,  
Washington Township. As recorded in Deed Book # 708, Page # 264  
400 Brudi Ave.

(Legal Description)

a <sup>1</sup>/<sub>4</sub> acre tract of land lying immediately east of and adjacent to Block 2 of  
Riverview Park Extended Addition, bounded on the south by Livingston Ave.,  
bounded on the north by Brudi Ave., bounded on the east by a line 220'± L.F.  
east of and parallel to the east property line of said Block 2.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Rehm Insurance Co. with J. Rehm as agent  
3414 S. Calhoun St

(Name)

(Address)

(Signature)

Legal Description Checked By: Anne Embury for Ron Buma April 19, 1972  
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Edgar Stanley 257 Paulletts Pk. 483-0221  
(Name) (Address) (Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802 Telephone Number 423-7571

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

Mr. Ralph Blume  
344 Utility Building  
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on April 14, 72.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

*Marshall Snyder*  
Marshall Snyder  
Draftsman

MS:mo

STATE OF INDIANA )  
                              ) SS:  
COUNTY OF ALLEN )

REMONSTRANCE

RE: Proposed Ordinance to Rezone from an R-1 District to an M-1 District a tract of land containing one acre more or less lying immediately east of and adjacent to Block 2 of Riverview Park Extended Addition, located between Brudi Avenue and Livingston Avenue.

Come now the persons whose names are attached hereto, together with their addresses and lot numbers and jointly and severally remonstrate and object to the proposed ordinance identified in the caption of this remonstrance for the following reasons:

1. That such proposed zoning would be spot zoning.
2. That such proposed ordinance is not in accord with any comprehensive plan for the City of Fort Wayne.
3. That such proposed ordinance is not in the best interests of the general welfare of the neighborhood and local community.
4. That such proposed ordinance would adversely affect the public health, safety and morals of the neighborhood.
5. That such proposed ordinance would impair the value and usefulness of the surrounding property.
6. That such proposed ordinance would adversely affect the peace, good order, dignity and comfort of the homes of the undersigned and such zoning could not and would not promote the comfort, happiness and contentment of the undersigned in their homes and neighborhood.
7. That such proposed ordinance would downgrade and adversely affect the public tranquility of the neighborhood and the good order thereof.


8. That such proposed ordinance would destroy the esthetic values established in the neighborhood.

9. That the undersigned are resident homeowners and they have a vested valuable property right in their homes and neighborhood which such proposed ordinance would tend to destroy, which would result in a taking of the property of the undersigned without due process of law.

10. That the proposed ordinance would result in land being used for industrial purposes immediately adjacent to a residential district which said use is incompatible and repugnant to the land use now established.

WHEREFORE, the undersigned, whose signatures are attached hereto, respectfully request that said proposed ordinance do not pass.

PETERS & PEEBLES

BY   
David Peters,  
Attorneys for Remonstrators

PETERS & PEEBLES  
(David Peters)  
1700 Lincoln Bank Tower  
Fort Wayne, Indiana 46802  
Telephone: (219) 743-3305

We are against rezoning " R1 " District to " M1 " District concerning a plus acre of land lying immediately east of and adjacent to Block 2 of Riverview Park Extended Addition, located between Brudi Ave. and Livingston Ave.

NAME	ADDRESS	LOT NUMBER
Herbert Hilbert	3528 allen ave	2/
Melvin + Laura Rickendollar	527 Constance	90
Vera Fathrey	533 Constance	88
Ruby Marshall	515 Constance	92-93-94
Ralph Lautzenhain	515 Constance	92-93-94
William Downey	518 Constance	
Margaret Downey	518 Constance	
Victoria Barthold	426 Constance	75
Victoria Barthold	422 Constance	74
Lester L. Kneigh	526 Livingston	Block 5-6 Riverview
Wealthy E. Kneigh		
Rose Minard.	440 Livingston ave.	4
Arthur Gershardt	3525 Park Hill	
Barbara Gershardt	" "	
Hattie Gumbright	3532 Allen Ave	23-25
W. J. Cronkright	3532 Allen Ave	23-25
Joseph O. Craver	523 Constance Ave	91
Mrs Ralph Downey	532 Constance	67
Melvin + Laura Rickendollar	3503 Eleanor St.	90
Mrs. Agnes Lee	514 Constance Ave	
Robert Burns	506 Constance	73

DAROLD BROWN	540 BRUDI' AVE	
Thina B Pauer	3501 Parkhill Ave	Lot 40
Lewell & Patricia Hurdley	538 Constance Ave.	Lot 56-57
Mr. Paul Clay	3515 Parkhill Ave	Lot 43-44
Mrs. Conroy Kierishi	3515 Parkhill Ave	Lot 37
Arthel M. Newman	3530 Parkhill Ave	48
Ray Barthred	3526 Parkhill Ave	Lot 45-46-47
Katherine May	3809 parkhill	lot 38
C.A. Craft	3504 Parkhill	41-42
Billy J. Martin	614 Constance	58-59
George Robb	612 Constance	61
Ralph V. Babut	542 Constance	64
Mrs. M. Leckner	531 Constance	68-69-89

HOFFMAN, MOPPERT, SOLOMON & MILLER  
ATTORNEYS AT LAW

JOHN C. HOFFMAN (1960)

JOHN E. HOFFMAN

EDWARD J. MOPPERT

JAMES R. SOLOMON

LARRY T. MILLER

ROBERT L. THOMPSON

SUITE 1212 ANTHONY WAYNE BANK BUILDING

FORT WAYNE, INDIANA 46802

June 2, 1972

TELEPHONE 423-3331

AREA CODE 219

City Plan Commission  
City County Building  
One Main Street  
Fort Wayne, Indiana

RE: Bill No. Z-72-05-05

Gentlemen:

Please be advised that as the attorney for Edgar Stanley, Bill No. Z-72-05-05, we wish to request at this time that said Ordinance be withdrawn.

Your cooperation in this respect is appreciated.

Sincerely,

HOFFMAN, MOPPERT,  
SOLOMON & MILLER

A handwritten signature in blue ink that reads "Larry T. Miller". The signature is written in a cursive style. Below the signature, the initials "mjb" are written in small, handwritten letters.

Larry T. Miller

LTM/mjb